UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/721,402	11/22/2000	Glenn F. Evans	MS1-688US	2724

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EXAMINER
BOCCIO, VINCENT F

ART UNIT	PAPER NUMBER
2165	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/721,402	EVANS ET AL.
	Examiner	Art Unit
	Vincent F. Boccio	2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *Amend & Resp of 12/26/2007*.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 3-20* is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-16 and 20* is/are rejected.
7)☒ Claim(s) *17-19* is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
      Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
      Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2165.

Response to Arguments

1. Applicant's arguments filed 12/26/2007 have been fully

considered but they are not persuasive.

{A} In re pages 11-13, applicant states, the office's prima

facie of obviousness fails to teach, or suggest all claimed

features, "notifying the player application, by returning a

cancelled request command message for all commands canceled by

the multimedia content or by use action".

In response as previously applied the limitations are not

clearly pointed out or addressed, as the limitations are now

introduced.

After a careful consideration, Hurtado does further teach,

cols. 54-56, "user interface provides an option enabling the

operator to specify whether the product can be released for

processing or whether it are held pending further information

entry", therefore there does exist user control of jobs, wherein

the user can hold jobs pending information entry, also col. 52,

since indicates status of, "unsuccessful", reads on the step of

informing of a canceling of a job in view of FAILURE, the

message reads on notifying status that a job failed or

cancelled.

Upon a FAILURE at that point or stage of processing the

processing flow is effectively cancelled and would require re-

queuing of that stage of the job, till accomplished without

failure.

Informing of failure of a job the job can be said to have

been cancelled based on the status of failure of the job in view

of lack of information or other, as is obvious upon a failure to

cancel a job or the job has been cancelled in view of the

status, such as when the reason for failure such as lack of

information exists that stage in view of the failure is

effectively cancelled based on the job request made, as taught

by Hurtado.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms
   the basis for all obviousness rejections set forth in this
   Office action:
   (a) A patent may not be obtained though the invention is
   not identically disclosed or described as set forth in
   section 102 of this title, if the differences between the
   subject matter sought to be patented and the prior art are
   such that the subject matter as a whole would have been
   obvious at the time the invention was made to a person
   having ordinary skill in the art to which said subject
   matter pertains. Patentability shall not be negatived by
   the manner in which the invention was made.
   This application currently names joint inventors. In
   considering patentability of the claims under 35
   U.S.C. 103(a), the examiner presumes that the subject
   matter of the various claims was commonly owned at the time

any inventions covered therein were made absent any
evidence to the contrary. Applicant is advised of the
obligation under 37 CFR 1.56 to point out the inventor and
invention dates of each claim that was not commonly owned
at the time a later invention was made in order for the
examiner to consider the applicability of 35 U.S.C. 103(c)
and potential 35 U.S.C. 102(f) or (g) prior art under 35
U.S.C. 103(a).

2. Claims 1, 3-5, 7-8 and 12-14, 15-16 and 20 are rejected under
   35 U.S.C. 103(a) as being unpatentable over Hubbell et al. (US
   5,966,121) in view of Hurtado et al.(US 6,611,812).

   Regarding claim 1 Hubbell discloses and meets the
   limitations associated an apparatus comprising:

   - a memory (Fig. 4 a PC with RAM, also see Fig. 9,
     "buffers and 301-303", col. 17, line 29-, col. 19,
     line 1-, col. 24-, line 33-)
   - medium (Fig. 4 a, 140, "mass storage device")
   - a multimedia navigator program (Fig. 4 c, Fig. 4 B,
     152, of the PC & system Fig. 4 a, 130, Figs. 5-8, Fig.
     16-17, col. 4, lines 30- & col. 16, line 20- etc………,
     represents navigation software part of the software
     package);
   - a control and information application programming
     interface or APIs (as analyzed above & col. 28, line
     42-, API, also col. 27, line 4-, col. 26, line 20-52),
     wherein the control and information APIs being
     configured to respond to flags that are selectively
     determined it at least one operation will be
     conducted,
   - the operation being selected from a group of
     operations that include;

     o a player navigation synchronization operation
       (playback operations table 3, col. 3, line 11-, Fig.
       4 b, 152, "playback controls", Fig. 8, PLAY/STOP,
       Fig. 9, audio and Video),
     o a selective interactive operation (col. 14, table 4,
       "CLICKABLE 1= YES 0 = NO", for example etc…) and
     o a read/write register operation (see marks & other
       flags, col. 14, tables 3-4), the player-navigator
       synchronization performs synchronizing steps that

cause a multimedia player application to output a
request command (play, stop and many others commands
for playback, synchronization and related to
navigation, thru the multimedia audio and video
material) to the navigator program and a multimedia
content navigator to subsequently return attributes
such as, event IDs and status results to the player
application upon, commencement, completion or
cancellation of the requested command (marks are
generated upon play and stop, cols. 13-14).

Further see editing software, col. 2, line 65 to col. 3,

line 36 & col. 4, lines 33 to col. 6 and col. 26, col. 28,

lines 35-55) to output a request command to the navigator

program (Fig. 16) causing the navigator program to

subsequently return an event identifier and status result to

the player application upon commencement, completion or

cancellation (Fig. 4 B, col. 13-14) of the requested command

(Fig. 17, Fig. 1 and Fig. 4 C), wherein the request command

and the event ID (user interaction with API GUI interface) are

both communicated via at least one API (Figs. 5, 6, 7, 8, GUI

API, met by play/stop navigator button/controls, also other

controls, such as pause and other, col. 13 for example

operatively associated with the navigator program (such as

Fig. 16, playing and navigating the multimedia data on the

hard disk, play and other commands, control), further the

limitation of responding to at least a flag, selectively set

by the player application to ID that the event will be

returned upon completion of a command (col. 12, lines 34-48

and/or Fig. 17, and/or cols. 13-14, especially Table 4, cols.

15-18, many flags are set by the software and user which

determines various functionality with respect to user

interactions and functions and controls) and "the navigator

generates an object that can be used to track", met by

playback of the multimedia data by tracking the video

(controls Fig. 4 b and system Fig. 9, "301 frame counter",

even Fig. 10, Fig. 11, such as playback "step 436" and

tracking steps 420-450, tracking) and further meets the

limitation of COM objects (met by various reusable software

modules, for example see areas col. 26, lines 44 to col. 31,

especially col. 27, "OLE", etc…………………..), thereby track and

identify command processes and current status, also see Fig.

25, CRecTracker, col. 12, lines 34-47 and a flag set at the

start of the requested command (play generates a mark, Figs.

16-17, col. 10, table 1).

Regarding claim 1, Hubbell et al. fails to particularly
disclose:

O an event ID notifying the player when the requested command

(based on a JOB request) when the requested command is

completed and a status result of succeeded or failed command

corresponding to a JOB request, *such that the multimedia*

player application is able to track the event identifier to

the requested command output by the player application

facilitating multiple instance tracking and notifying the

player application by returning a cancel request command

message from the multimedia navigator program of every request

command that is cancelled by the multimedia content or by the

user.

Hurtado teaches at col. 52, lines 40-, having APIs which
process tools called to or handling processing calls or
requested commands to:

- retrieve the next job process (each are identified by some
  sort of Unit);
- indicate **successful** completion of a process (succeeded
  status of the jobs);
- indicate **unsuccessful** completion or {failed ***status of the
  jobs***}; and
- interim status (during, while doing the jobs); and
- jobs in a queue, col. 53;

o   notifying the player application, by returning a cancelled
request command message for all commands canceled by the
multimedia content or by use action.

Hurtado does further teach user control of job processing,

cols. 54-56, "user interface provides an option enabling the

operator to specify whether the product can be released for

processing or whether it are held pending further information

entry", therefore there does exist user control of jobs, wherein

the user can hold jobs pending information entry, also col. 52,

since indicates status of, "unsuccessful", reads on the step of

informing of a canceling of a job in view of FAILURE, the

message reads on notifying status that a job failed or

cancelled.

Upon a FAILURE at that point or stage of processing the

processing flow is effectively cancelled and would require re-

queuing of that stage of the job, till accomplished without

failure.

Informing of failure of a job the job can be said to have been

cancelled based on the status of failure of the job in view of

lack of information or other, as is obvious upon a failure to

cancel a job or the job has been cancelled in view of the

status, such as when the reason for failure such as lack of

information exists that stage in view of the failure is

effectively cancelled based on the job request.

Therefore, it would have been obvious to those skilled in the

art at the time of the invention to modify Hubbell by

incorporating status results including status of successful

completion or failed status, even interim and having multiple

jobs in a queue and to upon a failure to and also that either

upon a failure jobs are effectively cancelled by the handler of

the job in view of the failed upon "unsuccessful completion of a

process through such as lack of information, jobs can be held by

a user and also effectively cancelled till further information

is provided, as taught by Hurtado, in order to manage processing

flow of player operations of Hubbell.

      Claims 3-5 and 7-8, 12-16 are analyzed and discussed with
   respect to the claims above.

3. Claims 6 and 9-11 are rejected under 35 U.S.C. 103(a) as being
   unpatentable over Hubbell et al. (US 5,966,121) in view of Kim
   et al. (US 5,933,394).

   Regarding claims 6 and 9-10, Hubbell discloses multimedia
medium, such as a hard drive (col. 11, but, fails to wherein the
multimedia information includes a DVD formatted content, having
precise playback information.
   Kim teaches, a DVD (Figs. 1-2, systems with disk, a DVD, col.
1), having DVD formatted content (Fig. 3) and a navigator 204,
which enables extraction of cell information (col. 4) and
precise playback information as all formatted DVD content
comprises (Fig. 3) and provides information for the beginning
and end VTS and cell position information, as taught by Kim.
   Kim discloses Titles (cols. 2), fails to particularly mention
start and end times associated with the titles.
   The examiner takes official notice that Titles having precise
playback information, such as beginning and end time information
for multimedia data, such as video-audio, is well management
information, used a table of contents and to keep track of what
is recorded for playback and identifying lengths, the management
information useful in playback and editing, as is well known.

      Therefore, it would have been obvious to one skilled in the
art at the time of the invention to modify Hubbell by
incorporating a DVD with DVD formatted content, with precise
playback management information such as start and end time, and
player apparatus to the computer system, thereby allowing for
marking of multimedia from a DVD formatted content, as DVD
formatted content is becoming a predominant standard in the
world, as taught by Kim and also to utilize precise playback
information such as start and end times to ID what is recorded
and used on playback as well as other advantages as stated
above, as is obvious to those skilled in the art.

Regarding claim 20, since Hubbell discloses marks are
stored in a hard disk of the computer it is deemed that the
bookmarked points or information would be available in view of
the hard disk after player applications have been shutdown or
restarted.

Alternatively the examiner takes official notice that it is
known and obvious to store bookmarks for later user after system
shut down by storing in long term memory, therefore, it would
have been obvious to store made bookmarks in long term storage
such as a hard drive for later use, as is known and obvious in
when book-marking multimedia.

Allowable Subject Matter

2.   Claims 17-19 are objected to as being dependent upon a
rejected base claim, but would be allowable if rewritten in
independent form including all of the limitations of the base
claim and any intervening claims.

Conclusion

3.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the
extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action
is set to expire THREE MONTHS from the mailing date of this
action. In the event a first reply is filed within TWO MONTHS
of the mailing date of this final action and the advisory action
is not mailed until after the end of the THREE-MONTH shortened
statutory period, then the shortened statutory period will

expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications should be directed to the examiner of record Vincent F. Boccio whose telephone number is (571) 272-7373.

The examiner can normally be reached on between Monday thru Friday between (7:30 am to 5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Primary Examiner, Boccio, Vincent
3/28/2008

/Vincent F. Boccio/
Primary Examiner, Art Unit 2165